

**Governor's Executive Orders/Proclamations**

**EXECUTIVE ORDERS, PROCLAMATIONS OF  
GENERAL APPLICABILITY, AND STATEMENTS  
ISSUED BY THE GOVERNOR  
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

**EXECUTIVE ORDER 2011-09**

**Executive Order Continuing the Governor's Commission to Prevent Violence Against Women  
(Supersedes Executive Order 2008-12)**

[M11-443]

**WHEREAS**, violence against women affects Arizonans of all races, ethnicities, religions and socioeconomic classifications, and

**WHEREAS**, nationally, one in three women have been beaten, coerced into sex, or otherwise abused in their lifetime, usually by a family member or intimate partner, and

**WHEREAS**, in 2010, Arizona had 96 known deaths related to domestic violence and

**WHEREAS**, nationally, ninety-two percent (92%) of women indicate that reducing domestic violence and sexual assault should be at the top of any formal efforts taken on behalf of women today; and

**WHEREAS**, witnessing violence between one's parents or caretakers is the strongest risk factor for transmitting violent behavior from one generation to the next, increasing the chance of perpetuation the cycle of violence in adult relationships, and

**WHEREAS**, despite often going unreported, nationally, more than one in four women (26.5%) above the age of 65 have been the victim of physical, sexual or psychological violence by their spouse or intimate partner, and abuse of the elder and vulnerable adult population in increasing,

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, by virtue of the powers vested in me by the Constitution and laws of this State, hereby, continue the Governor's Commission to Prevent Violence Against Women (the "Commission") and order as follows:

1. The Commission shall:
  - A. Consist of no fewer than 11 and no more than 15 members, each of whom shall be appointed by the Governor and shall serve, without compensation, at the pleasure of the Governor. The Governor shall also appoint a chairperson who shall serve at the pleasure of the Governor.
  - B. Meet at the call of the Governor or the Commission Chair, but no fewer than four times per year.
  - C. To the extent practicable, be comprised of a cross-section of Arizonans who provide ethnic, geographic, gender, age and socio-economic diversity.
  - D. Include a Governor's designee, and others who demonstrate expertise in issues related to violence against women; in addition, it may include ex-officio members representing state agencies, including the Arizona Department of Economic Security, the Arizona Attorney General's Office and the Arizona Department of Health Services.
  - E. May include a Governor designee from the Arizona Coalition Against Domestic Violence and the Arizona Sexual Assault Network as organizations who demonstrate expertise in issues related to violence against women.
  - F. Work with entities throughout the State to increase awareness about the issues of violence against women.
  - G. Provide a forum for addressing input from the community and respond to new information on violence against women.
  - H. Continue to oversee the implementation and progress of the Domestic and Sexual Violence State Plan, and revise this State Plan as needed.
  - I. Sunset on December 31, 2014, unless extended by future Executive Order.

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2. The Commission may establish sub-committees at the discretion of the Chair to work on issues related to violence against women. Sub-committees may include interested members of the community who are not Commission members. The Chair shall recommend community members of the sub-committees, but they shall be approved by, and serve at the pleasure of, the Governor.
3. Members of the Commission may, with the Governor's permission, send designees to serve on the Commission, provided, however, that such designees shall have been delegated by the members with full authority to vote and otherwise act on behalf of the members.
4. This Executive Order supersedes Executive Order 2008-12.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this 16th day of December in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* STALKING AWARENESS MONTH \***

[M11-438]

**WHEREAS**, under the laws of all fifty states, the District of Columbia, and federal government, stalking is a crime; and

**WHEREAS**, 3 out of 4 stalking victims are stalked by someone they know; and

**WHEREAS**, many stalking victims lose time from work and experience serious psychological distress and lose productivity at a much higher rate than the general population; and

**WHEREAS**, many stalking victims are forced to protect themselves by relocating, changing their identities, changing jobs, or obtaining protection orders; and

**WHEREAS**, 1 in 4 stalkers use technology such as email, instant messaging, text messages, global positioning systems, cameras, and computer spyware to track their victims; and

**WHEREAS**, criminal justice systems can enhance their responses to stalking by regular training of law enforcement officers and aggressive investigation and prosecution of the crime; and

**WHEREAS**, laws and public policies must be continually adapted to keep pace with new tactics used by stalkers, and communities can better combat stalking by adopting multidisciplinary responses by teams of local agencies and organizations and by providing more and better victim services; and

**WHEREAS**, during January 2012, communities across Arizona and the rest of the country will observe National Stalking Awareness Month, a time to focus on a crime that affects 3.4 million adult victims a year; and

**WHEREAS**, the Arizona Governor's Office is joining forces with victim service providers, criminal justice officials, and concerned citizens throughout Arizona and the United States to observe National Stalking Awareness Month and to promote the national theme, "Stalking: Know It. Name It. Stop It."

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 2012 as

**\* STALKING AWARENESS MONTH \***

and applaud the efforts of the many victim service providers, police officers, prosecutors, community organizations, and private sector supporters for their efforts in promoting awareness about stalking as well as providing support and safety to victims.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer  
GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of December in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:  
Ken Bennett  
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

*Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.*

[M11-234]

**WHEREAS**, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

**WHEREAS**, other states have since implemented regulatory reviews and moratoriums; and

**WHEREAS**, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

**WHEREAS**, a predictable regulatory climate in this State will promote job creation and retention; and

**WHEREAS**, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

**WHEREAS**, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

**WHEREAS**, the current regulatory review and moratorium expires on June 30, 2011; and

**WHEREAS**, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

**NOW, THEREFORE**, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
  - a. To fulfill an objective related to job creation in this State.
  - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
  - c. To prevent a significant threat to the public health, peace or safety.
  - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
  - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
  - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
  - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.

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- h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
- 3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
- 4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
- 5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
- 6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
- 7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
- 8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**